



Attorney General Jon Bruning

NEWS RELEASE

FOR IMMEDIATE RELEASE

May 11, 2012

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AG Bruning Files Comment With U.S. Department of Health and Human Services Regarding Unconstitutional Assault on Religious Liberty, Urges Broader Exemption for Religious Organizations and Individuals

LINCOLN – Attorney General Jon Bruning today filed a comment letter with the U.S. Department of Health and Human Services urging Secretary Kathleen Sebelius to fix the current, unconstitutional language of the regulation requiring that all health care plans must cover sterilization and abortifacients, including RU-486, the so-called “abortion pill.” Bruning’s comment urges the inclusion of a broad exemption for religious entities. The existing language of the final rule, put into effect in February, would force certain religious organizations and individuals to subsidize products and services in violation of their religious beliefs.

“The federal government cannot coerce religious organizations and individuals to subsidize products and services which violate their religious beliefs,” said Bruning. “As it stands today, this regulation directly violates the First Amendment to the United States Constitution. I will continue to fight it with every means at my disposal, both in the courts and through the regulatory process,” Bruning said. “Nothing the government has said or done so far changes the fact that its current regulation violates the constitutional rights of religious entities.”

The comment letter is being filed in response to a request by the federal government for comments and suggestions regarding improving the existing regulation.

If the regulation remains in place as written, numerous individuals and organizations will drop private health care coverage in order to avoid violating their religious beliefs. This will force these individuals and those organizations’ employees onto already-strained state Medicaid programs, creating additional challenges for state budgets and threatening the future fiscal integrity of Medicaid itself.

Attorney General Bruning filed a lawsuit in federal court on February 23, 2012 to have the regulation declared unconstitutional. Nebraska was joined in the suit by Florida, Michigan, Ohio, Oklahoma, South Carolina, Texas, Sister Mary Catherine, CK, a Nebraska Catholic nun, Stacy Molai, a Nebraska Catholic missionary, Catholic Social Services, The Catholic Mutual Relief Society of America, and Pius X Catholic High School of Lincoln.

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